

**NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,
RICARDO GONZALES, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, INTERNATIONAL
UNION OF OPERATING ENGINEERS
LOCAL 295-295C WELFARE FUND, AND
STEAMFITTERS FUND LOCAL 439, on
Behalf of Themselves and All Others Similarly
Situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 1:17-cv-02246

Judge Edmond E. Chang

Magistrate Judge Sheila Finnegan

**PLAINTIFFS' UNOPPOSED MOTION TO SEAL DOCUMENTS FILED IN FURTHER
SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Plaintiffs respectfully move the Court for leave pursuant to Local Rule 26.2 to file under seal (1) the Reply in Support of Plaintiffs' Motion for Class Certification ("Reply"); (2) certain exhibits attached to the Supplemental Declaration of Joseph P. Guglielmo in Support of Plaintiffs' Motion for Class Certification ("Supplemental Guglielmo Declaration"); (3) Plaintiffs' Opposition to Motion to Exclude [Dr.] Hilton's Expert Report and Testimony Under Federal Rule of Evidence 702 ("Hilton Daubert Opposition"); (4) Plaintiffs' Motion to Exclude the Expert Report and Testimony of Jed Smith Under Federal Rule of Evidence 702 to the Extent Mr. Smith Purports to Have Determined PSC Prices ("Smith Daubert Motion"); (5) Plaintiffs' Motion to Exclude Michael S. Jacobs' Expert Report and Testimony Under Federal Rule of Evidence 702 ("Jacobs Daubert Motion"); and (6) Plaintiffs' Motion to Exclude James W. Hughes' Expert Report and Testimony Under Federal Rule of Evidence 702 ("Hughes Daubert

Motion”).

In support of Plaintiffs’ motion, which Defendant Walgreen Co. does not oppose, Plaintiffs state the following:

1. Pursuant to Local Rule 26.2(c), “[a]ny party wishing to file a document or portion of a document electronically under seal in connection with a motion, brief or other submission must: (1) provisionally file the document electronically under seal; (2) file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded; and (3) move the court for leave to file the document under seal.”

2. Plaintiffs’ Reply, the Hilton Daubert Opposition, the Smith Daubert Motion, the Jacobs Daubert Motion, and the Hughes Daubert Motion, contain descriptions of information contained within and quotations from documents and depositions that have been designated as “Confidential” pursuant to the Agreed Confidentiality Order (ECF No. 79) (the “Confidentiality Order”).

3. Exhibits 61, 62, 66, 68, 69, 71, 72, 73, and 86 to the Supplemental Guglielmo Declaration contain material that has been designated as “Confidential” pursuant to the Confidentiality Order.

4. Contemporaneously with this filing, Plaintiffs will publicly file redacted versions of Plaintiffs’ Reply, the Hilton Daubert Opposition, the Smith Daubert Motion, the Jacobs Daubert Motion, and the Hughes Daubert Motion and Exhibits 61, 62, 68, 69, 72, and 86 of the Supplemental Guglielmo Declaration.

WHEREFORE, for good cause shown, Plaintiffs hereby respectfully move for leave to file under seal:

a. the unredacted version of Plaintiffs’ Reply, the Hilton Daubert Opposition,

the Smith Daubert Motion, the Jacobs Daubert Motion, and the Hughes Daubert Motion;

- b. the unredacted versions of Exhibits 61, 62, 68, 69, 72, and 86 of the Supplemental Guglielmo Declaration; and
- c. Exhibits 66, 71, and 73 of the Supplemental Guglielmo Declaration.

Dated: June 20, 2023

SCOTT+SCOTT ATTORNEYS AT LAW LLP

/s/ Joseph P. Guglielmo

Joseph P. Guglielmo (IL Bar #2759819)
Carey Alexander (IL Bar #5188461)
Amanda M. Rolon (*admitted pro hac vice*)
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: (212) 223-4478
Facsimile: (212) 223-6334
jguglielmo@scott-scott.com
calexander@scott-scott.com
arolon@scott-scott.com

Erin Green Comite (IL Bar #420630)
SCOTT+SCOTT ATTORNEYS AT LAW LLP
156 S. Main Street
P.O. Box 192
Colchester, CT 06415
Telephone: (860) 531-2632
Facsimile: (860) 537-4432
ecomite@scott-scott.com

David W. Mitchell (IL Bar #199706)
Arthur L. Shingler III (IL Bar # 181719)
ROBBINS GELLER RUDMAN & DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: (619) 231-1058
Facsimile: (619) 231-7423
davidm@rgrdlaw.com
ashingler@rgrdlaw.com

Mark J. Dearman (IL Bar #0982407)
Stuart A. Davidson (IL Bar #084824)
ROBBINS GELLER RUDMAN & DOWD LLP
120 East Palmetto Park Road, Suite 500
Boca Raton, FL 33432

Telephone: (561) 750-3000
Facsimile: (561) 750-3364
mdearman@rgrdlaw.com
sdavidson@rgrdlaw.com

Interim Co-Lead Counsel

Katrina Carroll (IL Bar #6291405)
LYNCH CARPENTER LLP
111 W. Washington Street, Suite 1240
Chicago, IL 60602
Telephone: (312) 750-1265
katrina@lcllp.com

Local Counsel

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically through the Court's Electronic Case Filing System, which will then send a notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

/s/ Joseph P. Guglielmo

Joseph P. Guglielmo